

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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TRAVELERS PROPERTY CASUALTY  
COMPANY OF AMERICA,

Plaintiff,

23-cv-5747 (PKC)

-against-

ORDER

AXIS INSURANCE COMPANY,

Defendant.

-----X  
CASTEL, U.S.D.J.


The limited subject matter jurisdiction of a district court is best addressed at the outset of a case. It falls upon the Court to raise issues of subject matter jurisdiction sua sponte.

Plaintiff Travelers Property Casualty Company of America (“Travelers”) brings this action against Axis Insurance Company (“Axis”), invoking subject matter jurisdiction by reason of diversity of citizenship. The complaint alleges that “[a]t all times relevant hereto, Travelers was and is a Connecticut corporation licensed and authorized to write insurance and conduct business in the State of New York and with a principal place of business in Hartford, Connecticut.” (ECF 1 ¶ 3.) It alleges that “[u]pon information and belief, at all times relevant hereto, Axis was and is an Illinois corporation licensed to conduct business in New York.” (Id. ¶ 4.)

A corporation is deemed a citizen of every state in which it is incorporated and of the state where it has its principal place of business. 28 U.S.C. § 1332(c)(1). An action premised upon diversity of citizenship in which a corporation is a party must allege the corporation’s place of incorporation and principal place of business. Rule 8(a), Fed. R. Civ. P.

Within 14 days of this Order, Travelers shall amend its complaint to allege the principal place of business of Axis. If, by this date, Travelers either fails to amend or is unable to amend to truthfully allege diversity of citizenship, then the action will be dismissed for lack of subject matter jurisdiction without further notice to any party.

SO ORDERED.

  
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P. Kevin Castel  
United States District Judge

Dated: New York, New York  
July 19, 2023